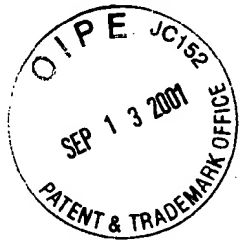


ARNOLD & PORTER



202.942.5000
202.942.5999 Fax
555 Twelfth Street, NW
Washington, DC 20004-1206

September 13, 2001

Commissioner for Patents
Washington, DC 20231

Attn: **BOX MISSING PARTS**

Re: U.S. Utility Patent Application No. 09/684,016
Filed: October 10, 2000
Inventor: KOVALIC, David K., *et al.*
For: **Annotated Plant Genes**
Dkt. No.: 16517.031

Sir:

Transmitted herewith for appropriate action by the U.S. Patent and Trademark Office are the following documents:

1. Copy of Notice to File Missing Parts of Application – Filing Date Granted;
2. Response to Notice to File Missing Parts of Application (in duplicate);
3. Original Combined Declaration and Power of Attorney for Patent Application, executed by David K. Kovalic and Jingdong Liu;
4. Petition for Extension of Time Under 37 C.F.R. § 1.136;
5. Check No. 200634 in the amount of \$1,270.00 to cover the basic filing fee, fee for 4 independent claims in excess of 3; surcharge for late filing of executed Combined Declaration and Power of Attorney for Patent Application; fee for one (1) month extension of time; and
6. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

Sincerely,

David R. Marsh (Reg. No. 41,408)
June E. Cohan (Reg. No. 43,741)

Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

KOVALIC, David K., et al.

Appln. No.: 09/684,016

Filed: October 10, 2000

For: *Annotated Plant Genes*



Art Unit: 1645

Examiner: To Be Assigned

Atty. Docket: 16517.031 (formerly
04983.0204.CPUS01)

Response to Notice to File Missing Parts of Application

Box Missing Parts

Commissioner for Patents
Washington, DC 20231

Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted dated June 29, 2001, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. copy of the Notice to File Missing Parts of Nonprovisional Application – Filing Date Granted;
2. an original Combined Declarations and Powers of Attorney, executed by David K. Kovalic and Jingdong Liu (totaling 3 pages); and
3. a check in the amount of \$1,270.00 to cover:

\$ 710.00 Basic Filing Fee for Patent Application (37 C.F.R. § 1.16);

\$ 320.00 Fee for 4 independent claim in excess of three;

\$ 130.00 Surcharge for late filing of oath or declaration (37 C.F.R. § 1.16 (e)); and

\$ 110.00 Fee for a one month extension of time.

The U.S. Patent and Trademark Office is hereby authorized to charge any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, or credit any overpayment, to our Deposit Account No. 50-1824 referencing matter number 16517.031. If extensions of time under 37 C.F.R. § 1.136, other than those provided for, are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 50-1824 referencing matter number 16517.031. A duplicate copy of this Response is enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "Dd Rl", which likely represents David R. Marsh and June E. Cohan.

David R. Marsh (Reg. No. 41,408)

June E. Cohan (Reg. No. 43,741)

Date: Sept 13, 01

ARNOLD & PORTER
555 Twelfth Street, N.W.
Washington, D.C. 20004-1206
(202) 942-5000 telephone
(202) 942-5999 facsimile



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/684,016	10/10/2000	David K. Kovalic	04983.0204.CPUS00/38-21 (1)

CONFIRMATION NO. 9497

FORMALITIES LETTER



OC000000006245784

Date Mailed: 06/29/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$320.
 - \$320 for 4 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1160.

A copy of this notice MUST be returned with the reply.

RECEIVED
DOCKET DEPT.
HOWREY SIMON ARNOLD & WHITE

SEP 02 2001

WASHINGTON, D.C.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09/17/2001 MBERHE 00000053 09684016

01 FC:101

710.00 OP

02 FC:105

130.00 OP

03 FC:102

320.00 OP